

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY YAOUNDE

UNCLAS STATE 263027

E.O. 11652: N/A

TAGS: AREG, CM

SUBJECT: INTERPRETATION OF FAM REGULATIONS ON CONFLICTS OF
INTEREST

REF: YAOUNDE 3548

1. REFTEL REQUESTED DEPARTMENT'S OPINION ON PROPRIETY OF
EMBASSY OFFICERS ACCEPTING GRATUITOUS MEMBERSHIP IN LOCAL
SHERATON-MANAGED HOTEL CLUB. SUCH MEMBERSHIP WOULD ALLOW
OFFICERS TO TAKE ADVANTAGE OF VARIOUS RECREATION FACILITIES.
ACCORDING TO INFORMATION PROVIDED REFTEL, THESE FREE MEM-
BERSHIPS WOULD BE OFFERED TO THE SELECTED DIPLOMATIC
OFFICERS DIRECTLY.

2. AS DEPARTMENT READS APPLICABLE REGULATIONS (22 CFR
SECTION 10.735-202) ACCEPTANCE OF SUCH AN OFFER BY A
DEPARTMENT EMPLOYEE WOULD BE PROHIBITED IF THE SURROUNDING
CIRCUMSTANCES LEAD ONE TO BELIEVE THAT THE OFFEROR HAD
SOME BENEFIT TO GAIN FROM THE GOVERNMENT. IN THE CASE OF
COMMERCIAL HOTEL CHAIN, THERE ARE OBVIOUS POSSIBILITIES FOR
INFLUENCE, E.G. IN RECOMMENDATIONS FOR CONVENTION ACCOMO-
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DATIONS, ETC. IN VIEW OF THIS SITUATION, DEPARTMENT IS

INCLINED TO DENY OFFICERS PERMISSION TO ACCEPT FREE MEMBERSHIP. HOWEVER, IF EMBASSY WILL SUPPLY ADDITIONAL

INFORMATION, AS FOLLOWS, DEPARTMENT WOULD BE WILLING TO RECONSIDER ITS POSITION. QUESTION: (L) HAS THE SAME OR SIMILAR OFFER BEEN MADE TO DIPLOMATS OF OTHER EMBASSIES? (2) HAS THE SAME OFFER BEEN EXTENDED TO ALL MEMBERS OF THE EMBASSY'S DIPLOMATIC STAFF? (3) IS THE OFFER IN FACT MADE DIRECTLY TO THE DIPLOMATIC OFFICERS OR RATHER TO THE EMBASSY ON THEIR BEHALF?

3. IF, IN FACT, THE HOTEL IS A CENTRAL AND ESSENTIAL POINT FOR DIPLOMATIC EXCHANGE IN YAOUNDE AND IF, IN FACT, THE OFFER HAS BEEN MADE ON A GENERAL BASIS TO THE DIPLOMATIC COMMUNITY, THERE WOULD BE A BASIS FOR CONCLUDING THAT THE OFFER HAS BEEN MADE TO THE EMPLOYEES AS CLASS WITHIN THE MEANING OF 22 CFR SECTION 10.735-202 (4).

4. PLEASE ADVISE. KISSINGER

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